

CITY COUNCIL MINUTES

July 14, 2008

REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, July 14, 2008 at 6:00 p.m. immediately following a 5:00 p.m. Closed Session with Mayor Keith Nesbitt presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

ROLL CALL:

Council Members Present: Bob Snyder, Kevin Hanley, J. M. Holmes, Bridget Powers, Keith Nesbitt

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Fire Chief Mark D'Ambrogio, Public Works Director Jack Warren, Engineering Division Manager Bernie Schroeder, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Building Official Lisa Hoffrogge, Administrative Manager Joanna Belanger, Police Chief Valerie Harris

By **MOTION** adjourn to a closed session under Government Code Section 54957.6: **MOTION: Holmes/Hanley/Approved by voice**

CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: David Mackowiak, Robert Richardson

Employee Group: Local 39, Management Group, Battalion Chiefs

By **MOTION** adjourn to a closed session under Government Code Section 54957: **MOTION: Holmes/Hanley/Approved by voice**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

REPORT OUT OF CLOSED SESSION

Mayor Nesbitt announced that there was no reportable action from the closed session.

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS

Mayor Nesbitt announced that the meeting would be adjourned in honor and memory of Wayne Foote and Gil Machado.

Commendation: Hannah Peterson, Youth Advisory Commissioner
Jess Stern, Youth Advisory Commissioner

Mayor Nesbitt presented Youth Advisory Commissioners Hannah Peterson and Jess Stern with commendations for their outstanding efforts in organizing the Youth Art Display for the Auburn Art Walk, June 12, 2008.

AGENDA APPROVAL

The agenda was approved as presented by consensus of the Council.

CONSENT CALENDAR

1. Consultant Agreement for the Lower Vintage Oaks Sewer Pump Station

By **RESOLUTION 08-93** authorize the Director of Public Works to execute a consultant agreement with NexGen Utility Management, Inc. for Task Order No. 1 and 2, Exhibit A and Exhibit B – Lower Vintage Oaks Sewer Pump Station design.

2. Airport Office Lease – Power Aviation Services, Inc.

By **RESOLUTION 08-94** authorize the City Manager or his designee to execute a lease for commercial office space in the Auburn Municipal Airport Operations Building between the City of Auburn and Power Aviation Services, Inc.

3. Appointment to Greater Auburn Area Fire Safe Council

By **RESOLUTION 08-95** appoint Ray Green and Beryl Smith to the Greater Auburn Area Fire Safe Council for terms of two years each.

4. General Bargaining Unit, Office and Administrative Support Bargaining Unit, Stationary Engineers, Local 39 Memorandum of Understanding

By **RESOLUTION 08-96** adopt the Memorandum of Understanding for the General Bargaining Unit, Office and Administrative Support Bargaining

Unit, Stationary Engineers Local 39 and the City of Auburn for the period of July 1, 2008 through June 30, 2011, and authorize the City Manager to sign on behalf of the City.

***** End of Consent Calendar *****

By **MOTION** approve the Consent Calendar. **MOTION: Hanley/Holmes/ Approved 5:0**

5. **Public Comment**

Dave Mackenroth, representing the Auburn-Placer Performing Arts Center, extended his thanks and appreciation to all those involved in making the new marquee for the State Theater a reality.

Vance Sauter, Auburn resident, stated that he has been involved with the 4th of July celebration for many years. He thanked the Council for the City's help to make the Auburn Family 4th successful. He presented Certificates of Appreciation to the City, the Police Department and the Fire Department on behalf of the Auburn community and the Chamber of Commerce.

PUBLIC HEARING

6. **Wastewater Treatment Plant Improvement Project – Initial Study and Mitigated Negative Declaration**

Public Works Director Warren asked for a continuance of the public hearing to August 25, 2008.

City Manager Richardson advised that City staff will continue to work with all other partners in the endeavor, and will not bring the item back to the Council until there is a "complete package" for consideration.

By **MOTION** continue the Public Hearing to consider comments on the Wastewater Treatment Plant Improvement Project's environmental document. **MOTION: Holmes/Snyder/Approved 5:0**

7. **Weed Abatement Public Protest Hearing**

Fire Chief Mark D'Ambrogio presented to Council a list of the parcels requiring abatement. He stated that the intent of the public hearing is to hear any protests from individually affected property owners.

By **RESOLUTION 08-97** authorize the Fire Chief to abate those properties that have been posted and notified as a public nuisance, and have not

complied with "Notices to Remove." **MOTION: Hanley/Snyder/**
Approved 5:0

8. **2008/09 Sewer Service Charges to be Placed on Placer County Tax Roll**

Administrative Services Director Andy Heath stated that a public hearing is required prior to placement of the 2008/09 Sewer Service Charges on the Placer County Tax Roll.

By **RESOLUTION 08-98** authorize the levy of Sewer Service Use Charges for Fiscal Year 2008-09 to be placed on the County of Placer Tax Roll.

MOTION: Holmes/Powers/Approved 5:0

REPORTS

9. **City Council Committee Reports**

Council Member Holmes stated that there will not be a meeting of the Youth Advisory Commission in August due to the start of school. The next meeting will be in September.

Council Member Snyder stated that the Placer County Mosquito Abatement District is currently recruiting for a manager. He also advised that the Sierra Economic Development Corporation has membership from respective counties and cities. He explained that the cities rotate due to board membership limitations. He said a meeting will be held as to how to involve those cities that do not have active seats on the board. He also announced that Leadership Auburn will be finishing bench construction this week and that it has been a successful class project.

COUNCIL BUSINESS

10. **Department of Public Works – Quarterly Projects Report**

Public Works Director Jack Warren provided the Council with an update on the department's Capital Improvement Work Plan. He updated the Council on current department activities. He advised that the Capital Improvement Projects Work Plan included the current status of the project and the projected status as of December 1, 2008. Council questions and comments followed.

11. **Solar Energy Products**

Public Works Director Jack Warren introduced Catherine Brown from SPG Solar and Matt Lugar of Tioga Energy. Mr. Warren explained that

solar energy has been discussed throughout the years with the City, but nothing quite worked. He advised there was even a feasibility study through PG&E at one time. He said there are two companies involved that could assist.

Ms. Brown, Director of Business Development for SPG Solar, outlined a solar project for the Wastewater Treatment Plant. She explained that her company handles all aspects of the project from design to installation and will easily be able to meet the needs of the City.

Mr. Lugar, Tioga Energy Sales and Marketing agent, explained the financing of solar installations. He said his firm has partnered with SPG Solar for this project to help the City, as they have done with other entities, transition to solar without any risk. He said no City capital is required from the City to deploy the installation. He said that during the term of the agreement the solar provider purchases, installs and maintains the system. He said the City will only be required to purchase the electricity out of the solar power plant. He explained that the City would realize a savings right away and continue to do so in future years. He said at various intervals, as well as at the contract's end, the City would be able to purchase the system at fair market value.

Council Members questioned "fair market value," state laws regarding net metering rules, proposal comparisons and contract negotiations.

Kirk Uhler, Solar Power, Inc. Vice President of Government Relations, clarified the terms of the proposal and the customization of the project. He outlined how City Hall and the Auburn Airport would be set up for solar panels. Council questions and comments followed.

David Dwelle, Auburn resident, stated that he is familiar with solar power and has been installing solar power systems for about six years. He said he would like his company to be considered in the negotiations. He said he can provide all the services discussed.

Mark Frederick stated that he is also involved in solar and a partner in Pacific Power Management. He advised that historical design will need to be considered for a City Hall installation along with a long-term commitment, pricing and the optional buy-out. He said with his firm, the City would be talking directly to the owners and that the financing through construction is handled by them. He asked that his company be considered for the project.

Council Member Hanley thanked PG&E for its assistance and suggested that City staff continue to look at all the options.

Council Member Holmes expressed support for the project and advised that all solar vendors are welcome to provide their ideas.

Mayor Snyder said that he and Council Member Hanley met with PG&E over a year ago and were urged to move forward on solar power. He said he favored proceeding immediately with consideration of a solar project.

By **MOTION** approve in concept proceeding with these projects subject to review and approval of the required contracts by the City Attorney, the City Manager, the City Finance Director, and the Public Works Director and environmental clearance to include other companies who may wish to compete in the effort. **MOTION: Holmes/Snyder/Approved 5:0**

Council Member Snyder stated that one of the proposals included an employee participation program and wanted to clarify that City Council Members would be excluded from such a program to void conflict of interest.

12. **Ordinance Establishing City Recreational Facilities Rules, Regulations and Penalties – 2nd Reading**

Police Chief Valerie Harris introduced the second reading, by title only, of the ordinance. She said the ordinance gives the Police Department the authority to ensure that bicycles, skateboards, skateboarding devices and motorized vehicles will not be used on City recreational park properties, specifically the School Park Preserve with the exception of disabled persons operating a motorized vehicle. She said signs will be posted and bicycle racks installed to encourage riders to park their bicycles. Council questions followed.

By **ORDINANCE 08-07** regulate use and operation of City recreational facilities, and authorize penalties for non-compliance of established rules. **MOTION: Hanley/Powers/Approved 5:0**

By **RESOLUTION 08-99** approve the establishment of rules and regulations governing use and operation of the School Park Preserve. **MOTION: Hanley/Powers/Approved 5:0**

13. **Regional Marketing Campaign**

Harvey Roper stated that there is now a blended program that incorporates private monies from businesses and funding from the Downtown and Old Town Business Associations in partnership with the City to promote Auburn. He said the group is trying to provide an appealing destination for people to visit Auburn on a day trip.

Monti Reynolds stated that due to the current economy the marketing campaign will encourage people to visit places closer to home. He explained the complete marketing program to the Council. He outlined a five step process: (1) cable TV advertising (2) NPR radio spots (3) website (4) joint DBA & OTBA Visitors' Guide and (5) streetscape kiosks.

Mr. Roper explained that the bulk of the cable TV advertising will be through Wave Broadband and Comcast Communications. He said businesses will be encouraged to buy into the commercials along with the marketing group. He said it will decrease the businesses' costs per ad due to buying in bulk.

Council Member Hanley asked how many businesses would need to join the program in order to recover the Economic Development Commission's \$8,000 contribution to purchase TV airtime. Mr. Reynolds answered that it would be twenty to twenty-four businesses. He said many businesses are already interested in participating. Council questions and discussion followed.

Dan Sokol, 1330 Deerwood Place, stated that the program is not a government project. He said it is an advertising and business project and should be funded by businesses. He said for the City to spend \$12,800 with the current state of the economy is not a wise decision. He said there could not be enough business recouped to justify the money spent.

By **MOTION** approve the Economic Development Commission's regional marketing campaign and authorize the City Manager to enter into airtime agreements with Wave Broadband and Comcast Communications to include the entire regional program as outlined including NPR. **MOTION: Hanley/Holmes/Approved 5:0**

14. **Think Auburn First Funding Request**

City Manager Robert Richardson introduced the item. He said *Think Auburn First* is a program to encourage Auburn area residents to think first about shopping in Auburn. He said the Economic Development Commission will tie the regional marketing campaign and the *Think Auburn First* campaign together. He said the Commission felt it was a worthwhile endeavor to provide them with basic seed money to give the program a start.

Cheryl Maki, Auburn resident, stated that it is important to keep a viable business community. She said the campaign will encourage people to shop in Auburn prior to going "down the hill." She explained how the economy of Auburn will benefit overall if residents will shop locally. She

advised that the steering committee has developed a mission statement, a logo, and a plan to get information out to the public to shop locally.

Dan Sokol, 1330 Deerwood Place, said in addition to the funding he felt the City was being asked to favor one type of a business over another. He said he did not feel the business community should ask the City for any funding. He said it was giving preferential treatment to locally owned businesses. Mr. Sokol opposed the action.

Ms. Maki stated that they will not distinguish between locally operated and locally owned businesses.

Monti Reynolds pointed out that in terms of economic development, getting people to shop locally is essential. He said that the quality people involved in the effort need support. He said the City must be proactive in promoting its businesses not only to attract new businesses but to retain the old businesses.

Harvey Roper said monies invested into the program are not just coming from the City.

Mayor Nesbitt stated that one of the things the EDC does is to provide seed money for programs that will become self-sustaining.

Council Member Hanley stated that he has donated to the effort and any funds provided by the City or others will not be reimbursed. He said they are donations.

Council Member Holmes stated, although he will vote in favor of the action, he would like to suggest that the *Think Auburn First* committee look at the amount spent by local merchants to advertise in the local newspaper. He suggested that the committee talk with the editorial staff and seek its support of the program.

By **RESOLUTION 08-100** approve funding of \$2,000 to the *Think Auburn First Committee* as recommended by the Economic Development Commission. **MOTION: Powers/Snyder/Approved 5:0**

ADJOURNMENT

Mayor Nesbitt adjourned the meeting, without objection, in honor and memory of Wayne Foote and Gil Machado at 8:35 p.m.

Keith Nesbitt, Mayor

Joseph G. R. Labrie, City Clerk